

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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|-------------------------------------|---|-----------------------------------|
| In the Matter of |) | |
| |) | |
| Time Warner Cable Texas LLC |) | File No.: EB-FIELDSCR-15-00018905 |
| Operator of Cable Television System |) | |
| |) | NOV No.: V20153250004 |
| |) | PSID: 008624 |
| Irving, Texas |) | |
| |) | |

NOTICE OF VIOLATION

Released: April 20, 2015

By the District Director, Dallas Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Time Warner Cable Texas LLC, operator of a cable television system in Irving, Texas. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On April 7, 2015, agents of the Dallas Office in responded to a complaint of LTE interference from Sprint PCS, inspected the affected area in Irving, Texas, and observed the following violations:

- a. 47 C.F.R. §76.605(a)(12): As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in §76.609(h) and shall be limited as follows: Over 54 MHz, and less than and including 216 MHz - 20 micro-volts per meter measured at 3 meters. At the time of inspection signal leakage was observed on the frequency of 121.2625 MHz as follows:

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

| Field Intensity ($\mu\text{V/m}$) | Location |
|-------------------------------------|--|
| 438.73 | Corner of Cameron & Story Rd |
| 129.01 | Story Rd in front of Kirkwood Park Apartments (Pole # 2160 415 9434) |
| 944.35 | Cable box on the North – East side in the Kirkwood Park Apartments near suite: 1041-1052. |
| 458.29 | Cable connector in the south wall of the Kirkwood Park Apartments near suite: 1021 - 1028. |

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Time Warner Cable Texas LLC must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct Time Warner Cable Texas LLC to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Time Warner Cable Texas LLC with personal knowledge of the representations provided in Time Warner Cable Texas LLC's response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the registrant's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

³ 47 U.S.C. § 403.

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

Federal Communications Commission
Dallas Office
9330 LBJ Freeway, Suite 1170
Dallas, Texas, 75243

6. This Notice shall be sent to Time Warner Cable Texas LLC at its address of record.

7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

James D. Wells
District Director
Dallas District Office
South Central Region

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).